I. Claim 10, drawn to recombinant cells, classified in Class 435, subclass § 121;

II. Claims 60-62, 67-103 and 105-111, drawn to treatment methods wherein blood cells are directly administered, classified in Class 424, subclass 529.

III. Claims 63-65, drawn to treatment methods wherein blood cells are grown *in vitro* prior to administration, classified in Class 435, subclass 240.21 and Class 424, subclass 529.

IV. Claims 66 and 104, drawn to treatment methods wherein recombinant cell lines are prepared and used, classified in Class 514, subclass 44 and Class 424, subclass 529.

The Examiner contends that the inventions are distinct, each from the other.

In order to be fully responsive, Applicants hereby provisionally elect the invention of Group II, claims 60-62, 67-103 and 105-111 drawn to treatment methods wherein blood cells are directly administered, with traversal. Applicants respectfully point out that the Examiner apparently has confused claim 103 with claim 104 in dividing the claims into the above-recited Groups; claim 103 and not claim 104 refers to a recombinant cell. Thus, elected Group II should include claim 104.

With respect to Examiner's division of the invention into four groups and the reasons stated therefor, Applicants respectfully traverse.

The individual groups of claims specified by the Examiner are not distinct inventions, but rather an intricate web of knowledge and continuity of effort which merit examination of all claims in a single application. Even assuming *arguendo* that Groups

I-IV represented distinct or independent inventions, Applicants submit that to search the subject matter of all the Groups together would not be a serious burden on the Examiner.

> The M.P.E.P. § 803 (Fifth Edition, Rev. 8, May 1988) states:
>
> If the search and examination of an entire application can be made without serious burden, the examiner >must< ** examine it on the merits, even though it includes claims to distinct or independent inventions.**

Thus, in view of M.P.E.P. § 803, all of claims 1-289 should be searched and examined in the subject application.

Accordingly, Applicants respectfully request that the Restriction Requirement Under 35 U.S.C. § 121 be withdrawn and the instant claims be examined in one application.

Applicants retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Applicants respectfully request that the above-made remarks be entered and made of record in the file history of the instant application.

Respectfully submitted,

Date February 8, 1996

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